

Introduced by Senator Runner

February 22, 2007

An act to ~~amend Section 2932 of the Penal Code, relating to conduct credits~~ add Chapter 3.21 (commencing with Section 15819.34) and Chapter 3.22 (commencing with Section 15819.39) to Part 10b of Division 3 of Title 2 of the Government Code, to amend Section 13602 of, to add Section 7021 to, and to add Chapter 9.8 (commencing with Section 6270) to Title 7 of Part 3 of, the Penal Code, and to repeal Section 2.5 of Chapter 1416 of the Statutes of 1987, relating to prisons, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 508, as amended, Runner. ~~Denial of conduct credits. Prisons: construction.~~

Existing law charges the Department of Corrections and Rehabilitation with the responsibility of planning and constructing state correctional facilities and permits funding for the construction of various prisons through lease-purchase financing arrangements.

This bill would authorize the department to design and construct prison facilities and a training facility. The bill would require the State Public Works Board to approve and provide administrative oversight for these projects. The bill would authorize the State Public Works Board to issue revenue bonds to finance those projects, subject to specified limits. Funds associated with these revenue bonds would be continuously appropriated.

This bill would also authorize the department to construct, establish, and operate reentry program facilities in collaboration with local entities. The bill would make related legislative findings and declarations.

Existing law authorizes the department to train correctional officers at specified locations.

This bill would authorize the department to establish a new training academy in Southern California.

This bill would declare that it is to take effect immediately as an urgency statute.

~~Existing law provides that inmates sentenced under the Indeterminate Sentencing Law may receive a reduction in their sentence for good behavior and participation in programs. Existing law also provides that not more than a specified number of days of conduct credit may be lost for certain behavior.~~

~~This bill would make nonsubstantive changes in the latter provision.~~

Vote: ~~majority~~^{2/3}. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 3.21 (commencing with Section 15819.34)
2 is added to Part 10b of Division 3 of Title 2 of the Government
3 Code, to read:

4
5 CHAPTER 3.21. AUTHORIZATION AND FINANCING FOR
6 CONSTRUCTION OF PRISON FACILITIES AND A SOUTHERN
7 CALIFORNIA TRAINING ACADEMY

8
9 15819.34. (a) The Department of Corrections and
10 Rehabilitation is authorized to design and construct prison
11 facilities, and to design and construct a training facility in Southern
12 California.

13 (b) The scope and costs of these projects shall be subject to
14 approval and administrative oversight by the State Public Works
15 Board, including augmentations, pursuant to Sections 13332.11
16 and 13332.19.

17 15819.35. For all projects approved for financing by the board
18 pursuant to Section 15819.34, the board may borrow funds for
19 project costs, including acquisition, studies, preliminary plans and

working drawings, construction, and construction-related costs, from the Pooled Money Investment Account pursuant to Sections 16312 and 16313. Project funds expended prior to project approval by the board shall not be reimbursable from the proceeds of the bonds.

15819.36. (a) The board may issue revenue bonds, negotiable notes, or negotiable bond anticipation notes pursuant to this part to finance the acquisition, design, and construction of the projects authorized in Section 15819.34. Authorized costs for design, construction, and construction-related costs, for all projects approved for financing by the board pursuant to Section 15819.34, shall not exceed one billion five hundred sixteen million five hundred thousand dollars (\$1,516,500,000).

(b) Notwithstanding Section 13340, funds derived from interim financing, revenue bonds, negotiable notes, or negotiable bond anticipation notes issued pursuant to this chapter are hereby continuously appropriated to the board on behalf of the Department of Corrections and Rehabilitation for the purposes specified in Section 15819.34.

(c) For the purposes of this section, “construction-related costs” may include mitigation costs of local government and school districts and may be made available pursuant to subdivisions (c) and (d) of Section 7005.5 of the Penal Code.

SEC. 2. Chapter 3.22 (commencing with Section 15819.39) is added to Part 10b of Division 3 of Title 2 of the Government Code, to read:

CHAPTER 3.22. AUTHORIZATION AND FINANCING FOR REENTRY
PROGRAM FACILITIES

15819.39. The Department of Corrections and Rehabilitation may acquire land, design, construct, and renovate reentry program facilities, as authorized in Chapter 9.8 (commencing with Section 6270) of the Penal Code. The scope and costs of these projects shall be subject to approval and administrative oversight by the State Public Works Board, including augmentations, pursuant to Section 13332.11 or 13332.19.

15819.40. For all projects approved for financing by the board pursuant to Section 15819.39, the board may borrow funds for project costs, including acquisition, studies, preliminary plans and

1 working drawings, construction and construction-related costs,
2 from the Pooled Money Investment Account pursuant to Sections
3 16312 and 16313. Project funds expended prior to project approval
4 by the board shall not be reimbursable from the proceeds of the
5 bonds.

6 15819.41. (a) The board may issue revenue bonds, negotiable
7 notes, or negotiable bond anticipation notes pursuant to this part
8 to finance the acquisition, design, and construction of reentry
9 program facility projects authorized in Section 15819.39.
10 Authorized costs for acquisition, design, construction, and
11 construction-related costs for all projects approved for financing
12 by the board pursuant to Section 15819.39 shall not exceed one
13 billion five hundred million dollars (\$1,500,000,000).

14 (b) Notwithstanding Section 13340, funds derived from interim
15 financing, revenue bonds, negotiable notes, or negotiable bond
16 anticipation notes issued pursuant to this chapter are hereby
17 continuously appropriated to the board on behalf of the
18 Department of Corrections and Rehabilitation for the purposes
19 specified in Section 15819.39.

20 (c) For the purposes of this section, “construction-related costs”
21 may include mitigation costs of local government and school
22 districts and may be made available pursuant to subdivisions (c)
23 and (d) of Section 7005.5 of the Penal Code.

24 SEC. 3. Chapter 9.8 (commencing with Section 6270) is added
25 to Title 7 of Part 3 of the Penal Code, to read:

26
27 CHAPTER 9.8. REENTRY PROGRAM FACILITIES
28

29 6270. The Legislature finds and declares the following:

30 (a) In 2005, over 120,000 inmates were released from state
31 prison facilities in California and paroled to communities
32 throughout the state.

33 (b) Every day, parolees are released from prisons hundreds of
34 miles from their county of last legal residence, making community
35 reintegration difficult, which in turn poses a risk to public safety.

36 (c) Placing an inmate in a secure correctional facility closer to
37 an inmate’s county of last legal residence in which the person will
38 be paroled and prior to that person’s parole would allow
39 community organizations to provide wraparound services both
40 before and after the person’s release to parole.

1 (d) *The continuity of services provided both before and after*
2 *the person's release to parole will improve the parolee's*
3 *opportunity for successful reintegration into society.*

4 (e) *Placing an inmate in a secure correctional facility prior to*
5 *his or her parole provides the opportunity for both parole and*
6 *local law enforcement personnel to better coordinate supervision*
7 *of that parolee.*

8 (f) *A parole violator serving a revocation term in a secure*
9 *correctional facility within the community of his or her parole can*
10 *benefit from a facility's programs in the same manner as an inmate*
11 *nearing release to parole.*

12 (g) *There is an emerging national consensus among researchers*
13 *and policymakers that a focus on reentry programs is a critical*
14 *area of need in correctional programming.*

15 6271. (a) *The Department of Corrections and Rehabilitation*
16 *is authorized to construct, establish, and operate reentry program*
17 *facilities throughout this state.*

18 (b) *These facilities shall only be constructed in a city, county,*
19 *or city and county that requests a reentry program facility, and*
20 *the proposed location of the facility shall be identified by the city,*
21 *county, or city and county.*

22 6272. *Reentry program facilities shall provide programming*
23 *to inmates and parole violators tailored to the specific problems*
24 *faced by this population when reintegrating into society. Persons*
25 *housed in these facilities shall receive risk and needs assessments,*
26 *case management services, and wrap-around services that provide*
27 *a continuity of support services between custody and parole.*

28 6273. *In the locations where a reentry program facility is*
29 *established, the Department of Corrections and Rehabilitation*
30 *shall develop a collaborative partnership with the local*
31 *government, local law enforcement, and community service*
32 *providers.*

33 6274. *The Department of Corrections and Rehabilitation may*
34 *contract with a city, county, or city and county for the operation*
35 *of a reentry program facility pursuant to this chapter.*

36 6275. *As part of the program authorized pursuant to Section*
37 *15819.41 of the Government Code, and notwithstanding Section*
38 *14669 of the Government Code, the Secretary of the Department*
39 *of Corrections and Rehabilitation is authorized to enter into a*
40 *lease, a lease with an option to purchase, or a lease with an option*

1 *to lease-purchase for the purpose of providing a reentry program*
2 *facility pursuant to this chapter. The Secretary shall not exercise*
3 *the option unless specifically authorized to do so by the Legislature.*
4 *The total value of any leases entered into pursuant to this section,*
5 *when combined with the amount of bonds issued pursuant to*
6 *Section 15819.41 of the Government Code, shall not exceed one*
7 *billion five hundred million (\$1,500,000,000), as authorized in*
8 *Section 15819.41 of the Government Code.*

9 *SEC. 4. Section 7021 is added to the Penal Code, to read:*

10 *7021. Sections 4527 and 4528 of the Government Code shall*
11 *not apply if the Department of Corrections and Rehabilitation*
12 *expands the scope of an existing contract with a firm providing*
13 *architectural or engineering services, or both, or construction*
14 *project management services, or if it enters into a contract with a*
15 *firm that has previously provided any of these services to the*
16 *department, to perform all required architectural, engineering, or*
17 *construction project management services for any construction*
18 *project authorized pursuant to this bill.*

19 *SEC. 5. Section 13602 of the Penal Code is amended to read:*

20 *13602. (a) (1) The Department of Corrections and*
21 *Rehabilitation may use the training academy at Galt or the training*
22 *center in Stockton. The academy at Galt shall be known as the*
23 *Richard A. McGee Academy. The training divisions, in using the*
24 *funds, shall endeavor to minimize costs of administration so that*
25 *a maximum amount of the funds will be used for providing training*
26 *and support to correctional peace officers while being trained by*
27 *the department.*

28 *(2) In addition to the locations identified in paragraph (1), the*
29 *department may establish a training academy in Southern*
30 *California.*

31 *(b) Each new cadet who attends an academy shall complete the*
32 *course of training, pursuant to standards approved by the*
33 *Corrections Standards Authority before he or she may be assigned*
34 *to a post or job as a peace officer. Every newly appointed first-line*
35 *or second-line supervisor in the Department of Corrections and*
36 *Rehabilitation shall complete the course of training, pursuant to*
37 *standards approved by the authority for that position.*

38 *(c) The Department of Corrections and Rehabilitation shall*
39 *make every effort to provide training prior to commencement of*
40 *supervisory duties. If this training is not completed within six*

1 months of appointment to that position, any first-line or second-line
2 supervisor shall not perform supervisory duties until the training
3 is completed.

4 *SEC. 6. Section 2.5 of Chapter 1416 of the Statutes of 1987 is*
5 *repealed.*

6 ~~SEC. 2.5. Notwithstanding Section 1 of Chapter 1549 of the~~
7 ~~Statutes of 1982, as amended by Chapter 165 of the Statutes of~~
8 ~~1987 or any other provision of law, the Department of Corrections~~
9 ~~is authorized to house more than 400, but no more than 800, women~~
10 ~~at the Northern California Women's Facility located on the grounds~~
11 ~~of the Northern California Youth Center in San Joaquin County.~~
12 ~~This action is necessary to alleviate severe overcrowding at the~~
13 ~~California Institution for Women in Frontera.~~

14 *SEC. 7. This act is an urgency statute necessary for the*
15 *immediate preservation of the public peace, health, or safety within*
16 *the meaning of Article IV of the Constitution and shall go into*
17 *immediate effect. The facts constituting the necessity are:*

18 *As of January 2007, the prison inmate population totaled nearly*
19 *173,000. More than 16,000 inmates are being housed in buildings*
20 *that were not designed as housing units, and all capacity in these*
21 *nontraditional spaces will be exhausted during 2007. In order to*
22 *provide prison capacity beyond 2007, it is necessary that this act*
23 *take effect immediately.*

24
25
26 **All matter omitted in this version of the bill**
27 **appears in the bill as introduced in Senate,**
28 **February 22, 2007. (JR11)**
29